



A 5

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Gill, Parkash and Masood, Rizwan
Application No.: 09/487,023
Filed or Issued: January 19, 2000
For: METHOD AND COMPOSITION FOR TREATMENT OF
KAPOSI'S SARCOMA

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 C.F.R. §§ 1.9(f) AND 1.27(b)) - INDEPENDENT INVENTOR

As below named inventors, we hereby declare that we qualify as independent inventors as defined in 37 C.F.R. § 1.9(c) for purposes of paying reduced fees under Section 41 (a) and (b) of Title 35, United States Code, to the United States Patent and Trademark Office with regard to the invention entitled METHOD AND COMPOSITION FOR TREATMENT OF KAPOSI'S SARCOMA.

described in

- the specification filed herewith
- application Serial No. 09/487,023, filed January 19, 2000
- Patent No. [], issued [Date].

we have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not likewise be classified as an independent inventor under 37 C.F.R. § 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 C.F.R. § 1.9(d) or a nonprofit organization under 37 C.F.R. § 1.9(e).

Each person, concern or organization to which we have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

BEST AVAILABLE COPY



RECEIVED

AUG 21 2000

TECH CENTER 1600/2900

DECLARATION AND POWER OF ATTORNEY
FOR PATENT APPLICATION

As below named inventors,

We hereby declare that our residence, post office address and citizenship are as stated below next to our names.

We believe we are the original, joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled: METHOD AND COMPOSITION FOR TREATMENT OF KAPOSI'S SARCOMA, the specification of which

is attached hereto.

X was filed on January 19, 2000 and assigned Application Serial Number 09/487,023.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims as amended by any amendment referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign applications for patent or inventor's certificate, listed below and so identified, and we have also identified below any foreign application for patent or inventor's certificate on this invention filed by us or our legal representatives or assigns and having a filing date before that of the application on which priority is claimed.

Number	Country	Day/Month/ Year Filed	Priority Claimed - Yes or No

We hereby claim the benefit under Title 35, United States Code, § 120 of any United States applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

Application Serial No.	Filing Date	Status
09/016,541	January 30, 1998	Pending

I hereby claim the benefit under Title 35, United States Code, § 119(c) of any United States provisional application(s) below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States provisional application in the manner provided by the first paragraph of Title 35, United States Code, § 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, § 1.56(a) which occurred between the filing date of the prior provisional application and the filing date of this application.

Provisional Application No.	Filing Date	Status
60/037,004	January 31, 1997	Abandoned

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

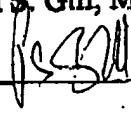
We hereby appoint the following attorney's and agents, with full power of substitution and revocation, to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith and request that all correspondence and telephone calls with respect to this application be directed to McCUTCHEON, DOYLE, BROWN & ENERSEN, LLP Three Embarcadero Center, San Francisco, California 94111, Telephone No. (415) 393-2000:

Attorney	Registration No.
John W. Calkins	43,523
Darren E. Donnelly	44,093
Carol M. Gruppi	37,341
J. David Hadden	40,629
Richard Hung	43,684
Suzanne Mack	44,888
David W. Maher	40,077
Michael J. Shuster	41,310
Nina K. Srojovic	40,342
William E. Thomson, Jr.	20,719
Rajiv Yadav	43,999
Vincent K. Yip	42,245

✓ Full name of first joint inventor:

Parkash S. Gill, M.D.

Inventor's signature:



Date: 6/10/2000

Residence and Post Office Address:

29420 Cresthaven Court
Agoura, CA 91301

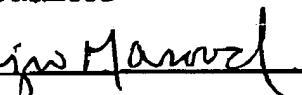
Citizenship:

United States

✓ Full name of second joint inventor:

Rizwan Masood

Inventor's signature:



Date: 6/10/2000

Residence and Post Office Address:

8225 Garbaldi Avenue
San Gabriel, CA 91775

Citizenship:

India

BEST AVAILABLE COPY

07/21/00 FRI 16:45 [TX/RX NO 7457]

() no such person, concern, or organization.
() persons, concerns or organizations listed below.

Full Name: _____

Address: _____

() Individual () Small Business Concern () Nonprofit Organization

Full Name: _____

Address: _____

() Individual () Small Business Concern () Nonprofit Organization

Full Name: _____

Address: _____

() Individual () Small Business Concern () Nonprofit Organization

I/We acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 C.F.R. §.1.28(b)).

I/We hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under § 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of inventor: Gill, Parkash

Address: 29420 Cresthaven Court, Agoura, CA 91301

Signature: 

Date: May 10, 2000 6/10/00

BEST AVAILABLE COPY

40114428.1
Docket No.: 21327-001

2

Name of inventor:

Masood, Rizwan

Address:

8225 Garbaldi Avenue, San Gabriel, CA 91775

Signature:

Rizwan Masood

Date:

6/10/2000

BEST AVAILABLE COPY

40114428.1
Docket No.: 21327-701

3